(S1)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 1850 of 2007

PETITIONER : Smt. S.Kujur D/o Ralis Kujur, Aged about 52 years Occupation District Programme Officer, C/o Mahila Bal Vikas Department Ambikapur, Tahsil & District Sarguja (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through Secretary Women and Child Development and Social Welfare, D.K.S. Bhawan, Raipur District – Raipur (C.G.)

2. Collector, Ambikapur, District Sarguja (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Goutam Bhaduri, Advocate for the petitioner.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/respondents.

ORDER

(Passed on 4th day of May, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner working as Assistant Director, Women and Child Development and Social Welfare Department at Ambikapur, was promoted to the post of Deputy Director in the department, vide order dated 27.09.2006 (Annexure P/1).

2. After promotion, she was not given any assignment and she continued without working for a long time. The petitioner approached this Court in W.P.(S) No. 681/2007 (Smt. S.Kujur Vs. State of Chhattisgarh & Others) whereunder this Court vide order dated 6.2.2007 observed that the Government should explain as to why the representation of the petitioner has not been considered. Thereafter the matter was dismissed as withdrawn on 28.2.2007.

3. In the meantime, the petitioner was transferred in the capacity of Deputy Director and posted as District Project Officer, Women and

Child Welfare Department in the Directorate, vide order dated 6.2.2007 (Annexure P/6).

4. The petitioner has impugned this order on the ground that due to filing of the earlier petition i.e. W.P.(S) No. 681/2007, this order has been passed. Thus, it tantamounts to malafide exercise of powers. The petitioner has no other material except a bald statement that the transfer and posting of the petitioner vide order dated 6.2.2007 is malafide. Mere statement is not enough to establish malafide without support of other relevant materials. Thus, the contention of the learned counsel appearing for the petitioner deserves to be rejected as meritless.

5. Thus, this petition is accordingly dismissed as having no merit. No order as to costs.

6. Consequently, I.A. No. 1, application for ad-interim writ/direction and I.A. No. 2, application for impleading the Collector in person, stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Amit